

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ZACH HILLESHEIM,

Plaintiff,

vs.

LSAD INVESTMENT PROPERTIES, LLC,

Defendant.

8:18CV299

ORDER

This matter was filed by the plaintiff on June 27, 2018, and a Summons was Requested and Issued. ([Filing No. 1](#)). [Federal Rule of Civil Procedure 4\(c\)](#) requires that “[a] summons must be served with a copy of the complaint. The plaintiff is responsible for having the summons and complaint served within the time allowed by [Rule 4\(m\)](#).” Under [Federal Rule of Civil Procedure 4\(m\)](#), “if a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. To date, Defendant has not been served the summons and complaint, while the 90-day period under Federal Rule of Civil Procedure 4 elapsed on September 25, 2018.

Accordingly,

IT IS ORDERED that the plaintiff is given until Friday, October 19, 2018, at 5 p.m. CST to show good cause why this court should extend the time for service for an appropriate period. In the absence of such a showing, the plaintiff’s claims against the defendant will be dismissed, and a judgment of dismissal without prejudice entered without further notice.

Dated this 15th day of October, 2018.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge